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Application Number:	20/00434/FULM
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Application Type:	Full Planning Major
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Proposal Description:	Residential development comprising of 72 dwellings, including associated works of landscaping, public open space and means of access and car parking.
At:	Land between Doncaster Road and Lings Lane Hatfield Doncaster DN7 6AB

For:	Avant Homes
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Third Party Reps:	5 Letters of objection	Parish:	Hatfield Parish Council
		Ward:	Hatfield

Author of Report:	Nicola Elliott
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SUMMARY

The proposal seeks full permission for residential development comprising of 72 dwellings, including associated works of landscaping, public open space and means of access and car parking. The proposal represents a departure from the development plan due to the proposed siting within countryside policy area as defined by Doncaster's Unitary Development Plan (UDP), Core Strategy and emerging Local Plan.

The report demonstrates that the harm generated by the proposal through inappropriate development in the countryside is outweighed by other material planning considerations. The development would not cause undue harm to neighbouring properties, heritage assets, the highway network or the wider character of the area.

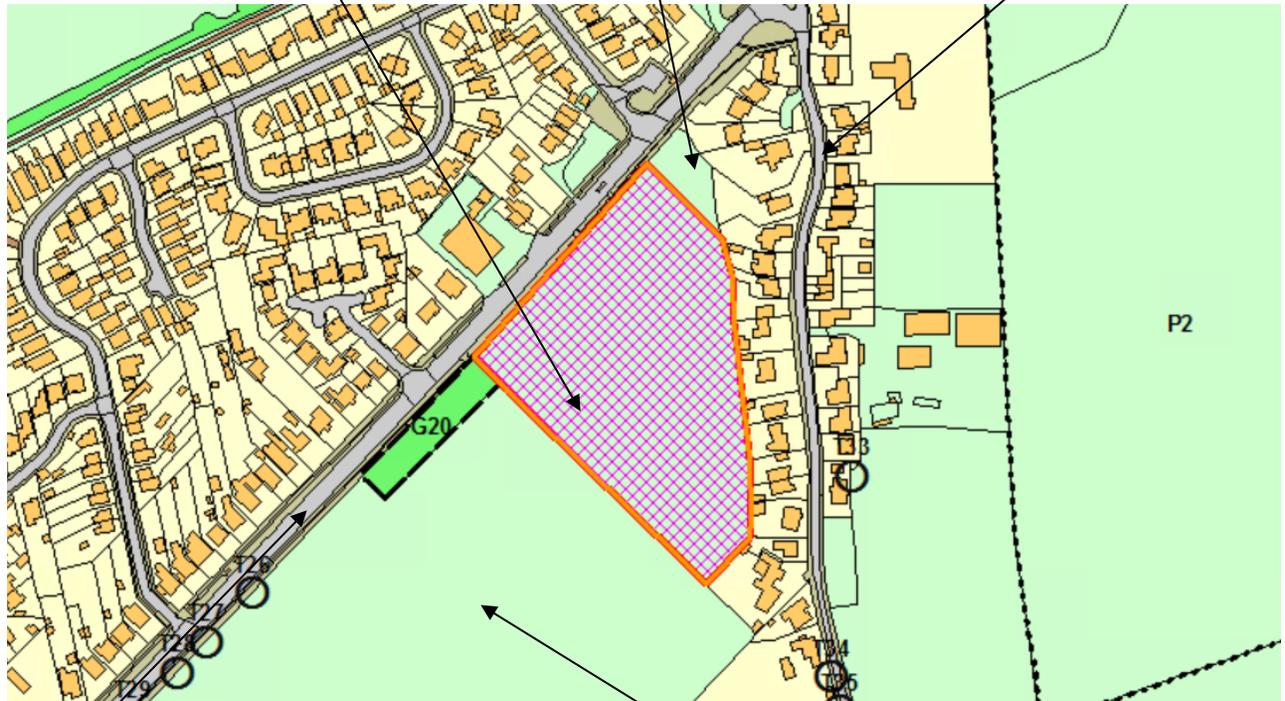
A viability appraisal has been submitted and been assessed by an independent consultant who has agreed that the scheme is not fully viable.

RECOMMENDATION: GRANT subject to Section 106 Agreement

Application Site

Application 19/02171/OUT - Outline development for erection of two detached dwellings and associated works (all matters reserved) – Approved 09.10.2020

Lings Lane



Doncaster Road

Site approved under application 16/00998/OUTM for 400 dwellings.

1.0 Reason for Report

- 1.1 This application is being presented to Planning Committee because the application represents a departure from the development plan and the application has been submitted with a viability appraisal.

2.0 Proposal and Background

- 2.1 This application seeks full permission for the erection of 72 dwellings, including associated works of landscaping, public open space and means of access and car parking. The development as proposed comprises of 72 dwellings in a mix of 2 – 4 bedroom dwellings of two storeys in height, with the exception of one house-type which as 2.5 storey (of which there are 6 units on site).
- 2.2 The neighbouring site to the south west has planning permission for 400 dwellings and development has commenced. The site to the north east has outline planning permission with all matters reserved for two dwellings (approved by Planning Committee at the meeting held on 6th October 2020). Please see history outlined in section 4.2 of this report.

3.0 Site Description

- 3.1 The application site is a triangular piece of land comprising of approx. 2 hectares, located between Doncaster Road and Hatfield Lane to the south of Hatfield. The land is currently agricultural in use enclosed by hedgerows, with residential dwellings fronting on to Lings Lane along the eastern site boundary, as well as along the north western boundary with Doncaster Road. The land to the south of the application site is currently under construction for a residential development. The character of the area is typically rural / edge of settlement.

4.0 Relevant Planning History

- 4.1 The relevant planning history is as follows:

Application Reference	Proposal	Decision
13/02059/OUTM	Outline application for residential development on approx 2ha of land (Approval being sought for access)	Refused (22.01.2015)
15/00806/OUTM	Outline application for residential development on approx 2ha of land (Approval being sought for access) (being resubmission of application 13/02059/OUTM, refused on 22/01/2015).	Refused (05.08.2015)
15/00023/REF	Appeal against 13/02059/OUTM (Outline application for residential development on approx 2ha of land (Approval being sought for access))	Appeal withdrawn

4.2 Relevant planning history on neighbouring sites includes;

Application Reference	Proposal	Decision
16/00998/OUTM	Outline application for residential development (Class C3) with open space, landscaping and associated access on approx 17.72 ha of land (Approval being sought for access) (being resubmission of application ref 14/01789/OUTM, refused on 02/10/2015)	Granted (s106) (03.11.2016)
18/01338/REMM	Details of the appearance, landscaping, layout and scale for the erection of 211 dwellings (Being matters reserved in outline application previously granted under ref 16/00998/OUTM on 03/11/2016).	Granted (22.10.2018)
20/00724/REMM	Details of appearance, landscaping, layout and scale (being reserved matters for outline application 16/00998/OUTM, granted on 03/11/2016) for the erection of 189 dwellings.	Granted (03.09.2020)
20/00725/FULM	Erection of 55 dwellings including areas of open space and associated infrastructure.	Pending decision – resolution to grant subject to signing of s106 agreement
19/02171/OUT	Outline development for erection of two detached dwellings and associated works (all matters reserved).	Granted (09.10.2020)

16/00998/OUTM is the overarching outline consent for the adjacent site, granting up to 400 dwellings. Linden Homes received reserved matters permission for 211 dwellings in the northern half of the site under that outline (18/01338/REMM). Barratt received reserved matters permission for 189 dwellings in the southern part of the site under 20/00724/REMM. That is 400 dwellings in total which is the maximum allowed under the outline, however Barratt's layout resulted in there being more capacity for additional dwellings, so they have submitted an application for 55 more dwellings under 20/00725/FULM (which has a resolution to grant). The whole site will deliver 455 units, rather than the 400 allowed by the outline.

5.0 Site Allocation

5.1 The site is located within Countryside Policy Area as defined by Doncaster's Unitary Development Plan.

5.2 National Planning Policy Framework (NPPF 2019)

- 5.3 The National Planning Policy Framework 2019 (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. Planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in planning decisions and the relevant sections are outlined below:
- 5.4 Paragraph 2 states that planning law requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 5.5 Paragraphs 7 – 11 establish that all decisions should be based on the principles of a presumption of sustainable development.
- 5.6 Paragraph 48 of the NPPF states that local planning authorities may give weight to relevant policies in emerging plans according to:
- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
 - b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
 - c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).
- 5.7 Paragraph 54 states that Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.
- 5.8 Paragraph 56 states that planning obligations must only be sought where they meet all of the following tests:
- a) necessary to make the development acceptable in planning terms;
 - b) directly related to the development; and
 - c) fairly and reasonably related in scale and kind to the development.
- 5.9 Paragraph 57 states that where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force. All viability assessments, including any undertaken at the plan-making stage, should reflect the recommended approach in national planning guidance, including standardised inputs, and should be made publicly available.
- 5.10 Paragraph 59 states 'To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of

land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay'.

- 5.11 Paragraph 68 states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly.
- 5.12 Paragraph 109 states development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 5.13 Paragraph 127 states planning decisions should ensure developments will function well and add to the overall quality of the area, are visually attractive and optimise the potential of the site.
- 5.14 Paragraph 158 states that the aim of the sequential test is to steer new development to areas with the lowest risk of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The strategic flood risk assessment will provide the basis for applying this test. The sequential approach should be used in areas known to be at risk now or in the future from any form of flooding.
- 5.15 Paragraph 160 states that the application of the exception test should be informed by a strategic or site specific flood risk assessment, depending on whether it is being applied during plan production or at the application stage. For the exception test to be passed it should be demonstrated that:
- a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and
 - b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.
- 5.16 Paragraph 170 states that planning policies and decisions should contribute to and enhance the natural and local environment by:
- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);

5.17 Core Strategy 2011 - 2028

- 5.18 To the extent that development plan policies are material to an application for planning permission the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (see section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004.
- 5.19 In May of 2012 the LDF Core Strategy was adopted and this replaced many of the policies of the Unitary Development Plan; some UDP policies remain in force (for example those relating to the Countryside Policy Area) and will continue to sit

alongside Core Strategy Policies until such time as the Local Plan is adopted. Core Strategy policies relevant to this proposal are:

- 5.20 Policy CS1 of the Core Strategy states that as a means of securing and improving economic prosperity, enhancing the quality of place and the quality of life in Doncaster, proposals will be supported that contribute to the Core Strategy objectives and which in particular provide opportunities for people to get jobs and protect local amenity and are well designed.
- 5.21 Policy CS2 of the Core Strategy sets out the Council's growth and regeneration strategy which includes the settlement hierarchy. It identifies Hatfield, alongside Stainforth, Dunville and Dunscroft, as a Potential Growth Town and identifies within Table 1 of Criterion A) an indicative housing allocation number between 1200 dwellings over the plan period.
- 5.22 Policy CS3 of the Core Strategy sets out the Council's position in relation to development in the countryside and Green Belt. Policy CS3 states that Doncaster's countryside will be protected and enhanced. It cites a number of examples of development that would be acceptable in the countryside and these do not include major housing schemes. Proposals which are outside of development allocations will only be supported where they would: retain and improve key green wedges; not be visually detrimental; not create or aggravate highway or amenity problems and preserve the openness of the Countryside Protection Policy Area.
- 5.23 Policy CS4 of the Core Strategy sets out the Authorities approach to dealing with Flood Risk in line with National Policy. Criterion A, B and C of Policy CS4 are applicable which looks to steer development away from the highest areas of flood risk, ensure that developments will be safe for the lifetime of the development and apply the Sequential Test and Exceptions tests where appropriate.
- 5.24 Policy CS9 states that new developments will provide, as appropriate, transport assessments and travel plans to ensure the delivery of travel choice and sustainable opportunities for travel.
- 5.25 Policy CS10 sets out the phasing of new houses to be built and states that existing housing allocations (except where flood risk or other delivery issues cannot be resolved) are linked to phase 1 where it is anticipated that development will be delivered from 2011 onwards.
- 5.26 Policy CS14 of the Core Strategy require development to be of a high quality design that contributes to local distinctiveness and that integrates well with its immediate surroundings.
- 5.27 Policy CS 15 of the Core Strategy sets out to preserve, protect or enhance Doncaster's historic environment in accordance with a set of principles, including;
- (B) Proposals will be supported which protect or enhance the heritage significance and setting of locally identified heritage assets such as buildings of local architectural or historic interest
- 5.28 Policy CS16 of the Core Strategy seeks to protect and enhance Doncaster's natural environment.

Doncaster's natural environment will be protected and enhanced, in accordance with the principles set out below.

A) Proposals will be supported which enhance the borough's Ecological Networks;

D) Proposals will be supported which enhance the borough's landscape and trees by:

1. being appropriate to the landscape's character, sensitivity and capacity;
2. including measures to mitigate any negative impacts on the landscape;
3. ensuring designs are of high quality, include appropriate hard and soft landscaping, a long term maintenance plan and enhance landscape character while protecting its local distinctiveness; and;
4. retaining and protecting appropriate trees and hedgerows, and incorporating new tree, woodland and hedgerow planting.

5.29 Saved Unitary Development Plan (UDP) Policies (Adopted 1998)

5.30 Saved Policy ENV2 is a general planning policy setting out that the borough council will maintain a countryside policy area in the eastern part of the borough covering all countryside outside the Green Belt and sets out specific criteria for protecting the countryside.

5.31 Saved Policy ENV4 is a general development control policy and sets out the generally acceptable uses within the Countryside. The proposal for residential development is not listed as an acceptable use within ENV4 and consequently the proposal represents a departure from the development plan.

5.32 Saved Policy ENV 37 seeks to protect sites of local archaeological significance.

5.33 Saved Policy ENV53 sets out that the scale and appearance of new development must have regard to its wider visual impact. Development will not normally be permitted if it would have a significant adverse visual impact on b) views across open countryside. Whilst scale and appearance are a reserved matter, consideration should be given to the principle of development is material consideration to which this policy should be applied.

5.34 Saved Policy RL 4 sets out how the Borough will seek to remedy local public open space deficiencies within existing residential areas and will require the provision of local public open space, principally of benefit to the development itself, within new residential developments in accordance with a number of standards.

5.35 Local Plan

5.36 On 4 March 2020 the Council submitted the Local Plan to the Government for independent examination. A number of hearing sessions, guided by a Government appointed Planning Inspector, were held in October/December 2020 to discuss representations submitted to the Publication Draft Plan. As a result, the Council is now inviting responses to a number of proposed Main Modifications to the Plan which are considered necessary to make the Plan legally compliant and sound, ending on the 21st March 2021.

5.37 Paragraph 48 of the NPPF states that the LPA may give weight depending on the stage of the Local Plan and the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given). When the local plan was published under Regulation 19 in August 2019, all of the policies were identified as carrying 'limited weight' for the purposes of determining planning applications. The Council is currently out for further consultation on the modifications of the Local Plan for a period running until the 21st March 2021 and the Council envisages that the Local Plan will be adopted in summer/autumn 2021. Taking into account the remaining stages of the local plan process, it is considered the following levels of weight are appropriate between now and adoption dependant on the level of unresolved objections for each policy the level of outstanding objections has been assessed and the resulting appropriate weight noted against each policy:

- Substantial
- Moderate
- Limited

The emerging Local Plan identifies the site as Countryside Policy Area.

5.38 The Council is aiming to adopt the Local Plan by summer/autumn 2021 and the following policies would be appropriate:

5.39 Policy 1 reinforces the guidance within the NPPF in that there should be a presumption in favour of sustainable development. This policy is considered to carry limited weight at this time.

5.40 Policy 2 identifies Duncroft, Dunsville, Hatfield & Stainforth as a main town, which will be a focus for new development. This policy is considered to carry limited weight at this time.

5.41 Policy 3 sets out that at least 40 per cent of the borough's total housing should be within the main towns such as Duncroft, Dunsville, Hatfield & Stainforth. This policy is considered to carry limited weight at this time.

5.42 Policy 6 sets out the Housing Allocations (Strategic Policy) and identifies sites that will help to deliver the housing requirement of which this site is one (Site 170 - Land at Doncaster Road, Hatfield). This policy is considered to carry limited weight at this time.

5.43 Policy 8 sets out the requirements for the range of housing including the need for affordable housing. This policy is considered to carry limited weight at this time.

5.44 Policy 14 seeks to promote sustainable transport within new developments. This policy is considered to carry limited weight at this time.

5.45 Policy 17 seeks to consider the needs of cyclists within new developments. This policy is considered to carry moderate weight at this time.

5.46 Policy 18 seeks to consider the needs of pedestrians within new developments. This policy is considered to carry moderate weight at this time.

- 5.47 Policy 26 deals with development in the countryside setting out the circumstances in which development in the countryside is acceptable. This policy is considered to carry limited weight at this time.
- 5.48 Policy 29 deals with open space provision in new developments. This policy is considered to carry limited weight at this time.
- 5.49 Policy 31 deals with the need to value biodiversity. This policy is considered to carry limited weight at this time.
- 5.50 Policy 33 states that the design process should consider woodlands, trees and hedgerows. This policy is considered to carry substantial weight at this time.
- 5.51 Policy 43 deals with the need for good urban design. This policy is considered to carry moderate weight at this time.
- 5.52 Policy 55 requires the need to take into account air and noise pollution. This policy is considered to carry limited weight at this time.
- 5.53 Policy 56 deals with the need to mitigate any contamination on site. This policy is considered to carry limited weight at this time.
- 5.54 Policy 57 requires the need for satisfactory drainage including the use of SuDS. This policy is considered to carry moderate weight at this time.
- 5.55 Policy 58 deals with the need to consider flooding. This policy is considered to carry limited weight at this time.
- 5.56 Policy 59 deals with low carbon and renewable energy within new developments. This policy is considered to carry moderate weight at this time.
- 5.57 Policy 61 requires the need to protect the best and most versatile agricultural land. This policy is considered to carry limited weight at this time.
- 5.58 Policy 66 deals with developer contributions. This policy is considered to carry moderate weight at this time.

5.59 Other material planning considerations

- Community Infrastructure Levy (CIL) Regulations (2010)
- Town and Country Planning (Environmental Impact Assessment) Regulations (2017)
- Development Requirements and Guidance Supplementary Planning Document (SPD) (2015)
- South Yorkshire Residential Design Guide (SPD) (2015)
- National Planning Policy Guidance

6.0 Representations

- 6.1 This application has been advertised in accordance with Article 15 of the Town and Country Planning Development Management Procedure (England) Order 2015 by means of site notice, council website, press advertisement and neighbour notification.

6.2 The application was initially submitted on 12th February 2020 and advertised via site notice (6th March 2020) and press notice on 5th March 2020. Following this publicity, a total of 5 letters of objection were received. A summary of the material planning issues raised is set out below:

- Number of houses already built in the area
- Disruption to transport links
- Loss of hedgerow/trees
- Impact on wildlife/ecology
- Highway safety
- Provides no social, economic or environmental benefit to Hatfield
- No need for more housing, one of the last few remaining rural parts of the locality
- Development is heavily weighted towards semidetached and terraced dwellings. This doesn't offer a diverse range of housing to support different needs.
- Overlooking
- Loss of light
- Noise and disturbance
- No public open space
- Loss of agricultural land with no compensation
- Site rumoured to be a burial ground, archaeological assessment inconclusive
- Low level of local amenities and only one primary school in walking distance which is oversubscribed
- Natural England have not conducted a wildlife assessment with residents concerned about the impact on Buzzards, Birds and Bats.
- High levels of traffic being experienced making it hard to pull out of Lings Lane.
- Should allow greater to see effects of other developments on infrastructure.
- Overdevelopment
- Impact on environment, pollution, sewerage, surface water run off, traffic, access to education, doctors.
- Flooding
- Urban sprawl
- Loss of open field

6.3 Non material issues raised included the following

- Dirt left on path
- Loss of view
- Greater incidence of burglary to terraced and semi-detached properties
- LDF 468 states not suitable for development (*this document has since been withdrawn and is not material consideration*)
- Not given full designs (*these are on the online planning application file*)
- Results of Hatfield Village Plan questionnaire showed residents do not want further housing (*there is no Neighbourhood Plan for Hatfield*)
- Insufficient time given for public to comment (*statutory periods have been complied with*)
- Number of houses for sale in Hatfield
- Loss of Green Belt (*the land is allocated as Countryside Policy Area*)

7.0 Hatfield Town Council

7.1 Objects. The Council believes this is an over-intensive development of the site and has concerns regarding the safety of access and egress onto the surrounding rounds.

8.0 Relevant Consultations

8.1 Yorkshire Wildlife Trust – It is noted that there is no proposed mitigation for the loss of hedgerows on site. Nor does there seem to be inclusion of compensation for the loss of habitats on site. Whilst this loss is considered small, there is a requirement under NPPF (para175d) to show measurable biodiversity net gain is outlined. Therefore, biodiversity enhancements must be demonstrated by clear landscaping plans and utilisation of a metric (recommended Defra v2.0). The metric will provide baseline habitat condition and post development enhancements to allow a more accurate assessment of the potential biodiversity losses and gains to be made. Without this information it is not possible to have confidence that the works will result in anything other than a loss to biodiversity. (*This is dealt with in paragraph 9.54*).

Due to the potential presence of bats utilising the site for foraging/commuting, a sensitive lighting scheme must be conditioned for both construction and operation, as in accordance with ILP and BCT guidance (2018).

8.2 National Grid – No comments received.

8.3 Northern Powergrid – No comments received.

8.4 Environment Agency – Consultation not required.

8.5 Yorkshire Water – Following an earlier objection, there are now no objections, subject to condition.

8.6 DMBC Ecology – No objections subject to condition.

8.7 DMBC Tree Officer – No objections, subject to condition.

8.8 DMBC Internal Drainage – No objection subject to condition relating to sustainable drainage scheme.

8.9 Doncaster East Internal Drainage Board – No comments received.

8.10 DMBC Education – No objections subject to the signing of a S106 agreement.

8.11 DMBC Housing Policy - The proposed development should be considered in the context of the approved residential development under 16/00998/OUTM which potentially affects the relationship of the site to Hatfield. Once developed (*currently under construction*) this approval would effectively cause the site to be surrounded by built development – and as such, the proposal would relate well to settlement built form.

8.12 DMBC Highways Development Control – No objections, subject to conditions.

8.13 DMBC Transportation – No objections following amendments to Travel Plan, and condition for Electric Vehicle Charging.

8.14 DMBC Design Officer – Following amendments, no objections subject to condition.

- 8.15 DMBC Open Space Officer** – Following confirmation of on site POS, with remaining balance as commuted sum and confirmation of access to adjacent site, no objections.
- 8.16 DMBC Pollution Control (Contaminated Land)** – No objections, subject to condition.
- 8.17 DMBC Area Manager** – No comments received.
- 8.18 DMBC Air Quality** – Following amendments to the Air Quality Assessment, no objection subject to condition for EV charging.
- 8.19 DMBC Affordable Housing** – The affordable housing officer will need to advise on the plots which are to be affordable units, should the Section 106 Board decide to use some of the available Section 106 monies for affordable housing.
- 8.20 South Yorkshire Police Architectural Liaison Officer** – The Police Designing out crime officer has no objections or comments to make in relation to the design, layout and security of this development/property/location.
- 8.21 South Yorkshire Archaeology Service** – No objections, however further investigation required by condition.
- 8.22 South Yorkshire Fire and Rescue Service** – No objections.
- 8.23 Natural England** – No comments to make.
- 8.24 South Yorkshire Passenger Transport Executive** – No comments received.
- 8.25 The Coal Authority** – Consultation not required.
- 8.26 DMBC Environmental Health** – No objection subject to conditions for Construction Method Statement and noise levels from the road.
- 8.27 DMBC Noise** – No comments received.
- 8.28 Ward Members:** No comments received.

9.0 Assessment

- 9.1 The proposal seeks full planning permission for a residential development comprising of 72 dwellings, including associated works of landscaping, public open space and means of access and car parking. In considering the proposal the main material planning considerations are outlined below:
- The principle of residential development with the Countryside Policy Area
 - The impact on the character of the area
 - The impact on neighbouring residential properties
 - The impact on the highway network and highways standards
 - The impact on the existing trees and hedgerows
 - The impact on the ecology of the site
 - The archaeological implications
 - Flooding and Drainage issues

- Financial contributions

9.2 For the purposes of considering the balance in this application the following planning weight is referred to in this report using the following scale:

- Substantial
- Considerable
- Significant
- Moderate
- Modest
- Limited
- Little
- No

Principle of development

9.3 The site lies within the Unitary Development Plan (UDP) defined 'Countryside Policy Area' (CPA), and is also considered to lie within the broad extent of the Core Strategy (CS) defined Countryside Policy Protection Area (CPPA). Therefore, the proposal should be primarily judged against UDP Policies ENV2 and ENV4, as well as Core Strategy Policies CS2 and CS3. As such, the proposed development would not be consistent with the purposes of the Countryside Policy Area defined in ENV2, or the stated purposes of appropriate development in this area given in ENV4.

9.4 Policy CS2 defines Stainforth and Hatfield (including Duncroft and Dunsville) as a 'Potential Growth Town' where significant housing growth could be sustainably accommodated as part of economic developments of regional/ national significance. Housing growth will be supported subject to the co-ordinated deliver of jobs and infrastructure and tied to housing renewal and improvements to services." The proposal is not an allocation, so with regards to Policy CS3, relevant parts of this policy include parts B3 & B4 and Part C.

9.5 Given the designated countryside location, this site is contrary to the Development Plan, and would not normally be permitted when judged against Policies ENV4 and CS3.

9.6 The Core Strategy has not been accompanied by the anticipated Sites and Policies Document so new allocations for the settlement have not been defined. Therefore, if considered against Parts B1 & B2 of CS3, an argument could be made that the proposal would be supportive of the Core Strategy's Growth and Regeneration Strategy, as set out in CS2 – i.e. that the site lies adjacent to a 'Potential Growth Town'. The provision of 72 dwellings is significant in terms of contributing to housing supply.

9.7 The proposed development should be considered in the context of the approved residential development under 16/00998/OUTM, now under construction, which potentially affects the relationship of the site to Hatfield. Once fully developed this approval would effectively cause the site to be surrounded by built development – and as such, the proposal would relate well to settlement built form.

9.8 Furthermore, Doncaster's emerging Local Plan has now been submitted for examination. The Publication Draft (which completed its formal consultation period on 30th September 2019) shows the application site as within a proposed housing

allocation (site 170 - Land at Doncaster Road, Hatfield, see table H2(E) below). The land to the west with planning permission under 16/00998/OUTM is also shown as a proposed housing allocation (site 970 - Land Off Doncaster Road, Hatfield). At this stage of the emerging Local Plan, this policy carries little weight but does give a clear indication of the direction of travel towards future planning policy for the site.

Table H2(E): Allocations without planning permission (as at 1st April 2018):

Site Ref	Address	Site Area (Ha)	Indicative Capacity (No of houses)	Achievability (deliverable & developable)				
				0-5 Yrs	6-10 Yrs	11-15 Yrs	15-17 Yrs	Beyond Plan Period
170	Land at Doncaster Road, Hatfield	2	72	72	0	0	0	0
784	Cuckoo Lane, Hatfield	1.2	36	36	0	0	0	0
TOTALS			108	108	0	0	0	0

9.9 The approved outline permission 16/00998/OUTM is now proceeding and is assessed as a deliverable housing allocation through the Local Plan process (Site 970, see table H1 (E) below). As such, it can be concluded that this proposal is acceptable in principle as the site relates well to the changed built form of the area and is flanked by residential development on all sides (and the recent planning permission for the north - reference 19/02171/OUT). Whilst policy 6 of the Local Plan can only be afforded limited weight, the development of the adjacent site should be afforded substantial weight and provides justification to now support the proposal further to the two previous refusals on the site.

Table H1(E): Allocations with planning permission (as at 1st April 2018)

Site Ref	Address	Site Area (Ha)	Permission		Capacity (Net)		Achievability (deliverable & developable)				
			Type	Status	Total	Units Remaining	0-5 Yrs	6-10 Yrs	11-15 Yrs	15-17 Yrs	Beyond Plan Period
418	The Unity Project, Hatfield-Stainforth	428.4	Outline	Not Started	3,100	3,100	175	350	350	140	2,085
794	Land at Former Industrial Estate, Briars Lane, Stainforth	4.1	Full	Started	152	152	105	47	0	0	0
890	Land R/O 67 - 79 South End, Station Road, Dunscroft	0.2	Full	Not Started	7	7	7	0	0	0	0
901	East Lane House, 60 East Lane, Stainforth	0.2	Full	Not Started	10	10	10	0	0	0	0
946	Land Off Station Road, Dunscroft	0.1	Outline	Not Started	5	5	5	0	0	0	0
957	Land At Kingsway, Stainforth	5.4	Full	Started	170	132	132	0	0	0	0
970	Land Off Doncaster Road, Hatfield	17.8	Outline	Not Started	400	400	245	155	0	0	0
989	Church Road, Stainforth	0.1	Full	Started	9	9	9	0	0	0	0
992	Millcroft House, Adjacent 5 Mill Croft, Stainforth	0.1	Full	Not Started	6	6	6	0	0	0	0
1058	Land Off Westminster Drive, Dunsville	3.4	Outline	Not Started	97	97	97	0	0	0	0
1068	Land At Former The Warrenne Youth	0.3	Full	Not Started	14	14	14	0	0	0	0

9.10 It is noted that the Planning Statement makes reference to an appeal decision recovered by the Secretary of State (February 2019 – Ref: APP/F4410/W/17/3169288 / LPA ref: 15/01278/OUTM in relation to land to the east

of Mere Lane, Edenthorpe) which concluded that UDP Policies ENV2 and ENV4 are out of date, and that the tilted balance in favour of sustainable development, as stated in paragraph 11 of the National Planning Policy Framework (then 2018) applied, attaching only 'limited weight' to them for the purposes of that case. The Secretary of State also concluded that the Borough has a 10 year supply of housing land.

- 9.11 It is the local planning authority's opinion that the Mere Lane decision related only to the circumstances of that particular case and that each case should be considered on its own merits. However, in view of the Secretary of State's decision on Mere Lane, it is recognised that UDP Policies ENV2 and ENV4 should be afforded moderate weight as opposed to full development plan status.

Sustainability

- 9.12 The National Planning Policy Framework (NPPF 2019) sets out at paragraph 7 that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs
- 9.13 There are three strands to sustainability, social, environmental and economic. Para.10 of the NPPF states that in order sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.

SOCIAL SUSTAINABILITY

Impact on Residential Amenity

- 9.14 Policy CS 14 of the Core Strategy seeks to ensure that proposals have no unacceptable negative effects upon the amenity of neighbouring land uses or the environment. The Development Guidance and Requirements SPD makes clear that 2-3 storey properties should have back to back distances (between facing habitable rooms) of no less than 21m. The properties most likely to be affected by the development are those located on Lings Lane (north east of the site). The submitted plans have been carefully designed so as to minimise the impact of the development on existing neighbouring properties. As previously set out, Doncaster's SPD sets out required separation distances in order to minimise issues such as overlooking, over dominance and loss of privacy. In general terms, principle and rear elevations should achieve 21m separation between the neighbouring equivalent and the proposed plan shows that these separation distances can largely be achieved.
- 9.15 The SPD also makes clear that there should be at least 10m separation between the rear elevation and the rear boundary with neighbouring properties. Again the site plan shows that proposed properties along the north eastern boundary can achieve the 10m required.
- 9.16 Whilst it is acknowledged that the view from many of the properties on Lings Lane will change, there is no right to a view. Moreover, the proposed site plan is able to demonstrate the necessary separation distances to safeguard the amenities of neighbouring properties.

- 9.17 As such it is considered that the proposal would not adversely affect neighbouring properties in terms of excessive levels of overlooking, over dominance, loss of privacy or overshadowing. This weighs positively in favour of the application, carrying moderate weight.

Conclusion on Social Impacts.

- 9.18 In conclusion of the social impacts of the development, it is not considered that residential amenity will be adversely affect by the proposal in accordance with policy CS14. The proposal has been able to adequately demonstrate that residential development can be achieved on the site without adversely affecting the residential amenity of neighbouring properties through overlooking, over dominance or loss of privacy.
- 9.19 It is anticipated that the proposal would lead to some noise and disturbance being generated whilst construction is taking place, however this is considered to be short term when considered against the lifetime of the development. Notwithstanding this, planning conditions could mitigate this harm through the submission of a Construction Method Statement and as such this is considered to carry limited weight against the proposal.

9.20 ENVIRONMENTAL SUSTAINABILITY

Impact upon the character and appearance of the surrounding area

- 9.21 Policy ENV2 makes clear that the countryside should be protected in order to safeguard it from encroachment.
- 9.22 Policy ENV4 goes onto to make clear that developments should be sited, designed and, where necessary, screened so as to minimise its impact on and wherever possible enhance the character, landscape and nature conservation value of the local environment. Core Strategy Policy CS3 makes clear that development in the Countryside should protect and enhance the character of the countryside.
- 9.23 As set out above, development in the countryside is not acceptable in principle due to the fact that development would inevitably lead to the encroachment of residential development into the countryside. However, the purpose of retaining this piece of land as countryside would be ineffectual given that it is surrounded by development on all sides and therefore development of this site could not be considered an encroachment. It is more an island within the centre of housing development. It is agreed that Lings Lane has a more rural character, leading out the further countryside, however the area to the west is a dense housing development, similarly the land to the south will tightly knit once it is completed, albeit for pockets of Public Open Space.
- 9.24 Policy ENV 53 of the UDP states that the scale and appearance of new development must have regard to its wider visual impact. Development will not be permitted if it would have a significant adverse visual implication on (a) views from major transportation routes; or (b) views across open countryside; or (c) views from important landmarks. Whilst the site will be visible from Doncaster Road, it will have no greater wider visual impact than that of the development to the south and it will be a continuation of built form. The open countryside is not adjacent the site and there are no important landmarks within the immediate vicinity. As such, it is

not considered that there is any conflict with policy ENV 53, to which moderate weight should be afforded in favour of the development.

Highways

- 9.25 Highways safety and traffic generation is one of the concerns noted from objections to the proposal.
- 9.26 Policy CS 14 lists quality, stability, safety and security of private property, public areas and the highway; and permeability as qualities of a successful place. Policy CS 9 of the Doncaster Council Core Strategy states that proposals will be supported which make an overall contribution to the improvement of travel choice and the transport network.
- 9.27 There is one means of access/egress to the site from Doncaster Road. The access is toward the north of the site, a significant distance away from the access serving the adjacent development. With regard to parking, the SPD lists the required parking allocation as '2 bed units; 1.5 spaces, where 1 space is allocated and 1 space is provided for every 2 dwellings in defined bays within the public highway, 3+ bed units; 2 allocated spaces per dwelling, plus 1 visitor space per 4 dwellings unallocated and provided in defined bays within the public highway or private drive'. In total, 140 car parking spaces are proposed for the development. This equates to 1.9 per dwelling. Overall, 130 spaces are allocated (4 in garages) and a further 10 visitor spaces, and 6 on street spaces. 31 properties have 2 beds, 31 have 3 beds and 10 have 4 beds, generating a requirement of 138.75 spaces. Therefore, this meets with the SPD and a further 6 unallocated spaces are available on the road.
- 9.28 Highways Development Control and Transportation have been consulted on the proposal. Amendments to the layout were made to incorporate highways comments, including the manoeuvrability of parking spaces and length of the primary road which limited options for pedestrians.
- 9.29 Discussion has also taken place to agree the location of the pedestrian access into the site, and relocation of the pedestrian refuge on Doncaster Road. As such, there are no highway objections to the proposed access and layout.
- 9.30 With regard to transportation matters, a Transport Statement and Travel Plan have been submitted in support of this application, and the documents have been reviewed. The development is forecast to generate 42 vehicle movements (2-way) in the AM Peak and 41 vehicle movements (2-way) in the PM Peak. Cycle parking is to be provided within the curtilage of each dwelling.
- 9.31 Whilst it is acknowledged that the predicted trip generation from this development does not meet the trigger for any other junction capacity assessments, for completeness, it was requested that further information be submitted in respect of the traffic counts, that the committed development known as Unity (15/01300/OUTA) is also to be taken into account, and in relation to traffic growth, a future year assessment of + 10 years be provided. Amendments were requested to the Travel Plan.
- 9.32 A Travel Bond is required to mitigate any traffic in the event that targets are not met. The purpose of the TP Bond is to ensure that the targets within the Travel Plan towards sustainable travel (bus, walk, cycle etc.) can be met, and if not met the Council would step in with sustainable measures using the Bond. The Council needs

to be assured that the Travel Plan is effective and has reasonable targets that can be met. The Bond is requested via a Section 106 Agreement.

The formula for calculating the bond is as follows:-

No. of dwellings x the current cost of a 28 day SY Connect+ ticket (currently £111.40)
x 1.1 = £8822.88

As such, the Transport Statement was repeated using the above updated information, and Travel Plan amended to the satisfaction of the Transportation team, subject to a condition to ensure Electric Vehicle Charging.

- 9.33 The NPPF makes clear at paragraph 109 that ‘development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe’. The impact of this proposal has not been considered severe by colleagues in Highways Development Control and Transportation.
- 9.34 The application site is located in a sustainable location, in close proximity to several bus routes and local facilities and services. As such, the development can be accessed via a wide range of transport modes discouraging reliance on the private car. Furthermore, cycle parking is accommodated for each dwelling, and as stated above, electric vehicle charging will be secured by condition.

Design

- 9.35 Paragraph 124 of the NPPF states that ‘the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.’
- 9.36 Paragraph 127 of the NPPF states that ‘planning policies and decisions should ensure that developments:
- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
 - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
 - d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
 - e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
 - f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users⁴⁶; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.’

- 9.37 On initial submission, generally layout was considered to be acceptable by the Urban Design Officer, in terms of the block structure orientation and outlook of properties. There were however some matters of detail which needed to be addressed to bring the scheme in line with Council policy and standards / Supplementary Planning Document. The application was duly amended including providing a connection to the adjacent site and a more direct pedestrian access onto Doncaster Road, reduction in frontage parking, enhanced landscaping scheme, increased separation to reduce potential for overlooking. The Design Officer now raises no objections to the scheme, subject to conditions including materials and a landscape management plan.
- 9.38 The development faces Doncaster Road and individual parcels of land are also outward facing to ensure that development does not turn its back on key vantage points. The properties are a mixture of 2 and 2 and half storeys to complement the existing built form within the vicinity of the site. Existing hedgerows are largely retained to assist in screening the development, and in softening its appearance.
- 9.39 All of the proposed dwellings will provide future occupiers with adequate living conditions. All of the proposed house types exceed the South Yorkshire Residential Design Guide minimum space standard, with the exception of Alderbridge which is marginally under the standard (by less than 1 sqm). This is not considered to weigh against the development. Gardens on the whole generally meet the 50sqm for 2 bedrooms and 60 sqm for 3 bedrooms or more, as set out in the SPD.

Loss of agricultural land

- 9.40 The site is not identified as affecting BMV agricultural land using the post 1988 ALC Magic map, as the site does not identify as being within grades 1-3b. There is therefore, no loss of high quality agricultural land and the proposal complies with policy CS18 of the Core Strategy.

Archaeology

- 9.41 Policy ENV 36 of the Doncaster Unitary Development Plan states that where the information about the archaeology of a site is insufficient to determine a planning application, the applicant will be required to provide an archaeological evaluation of the site to the satisfaction of the Borough Council. Policy CS 15 of the Doncaster Council Core Strategy seeks to preserve, protect and enhance the borough's heritage assets. The presence of potential archaeology on the site was a concern raised in the objections to the scheme from the public.
- 9.42 An archaeological desk based assessment has been carried out by an archaeological consultant and assessed by South Yorkshire Archaeology Service (SYAS). SYAS confirm that the proposal does have archaeological implications. The desk-based assessment provided for the previous application has been resubmitted alongside a geophysical survey and archaeological summary. Since SYAS' previous comments, detailed archaeological investigation of the site to the immediate south has been undertaken ahead of development. The somewhat surprising results have shown that the field system and trackways recorded there, although in use during the Iron Age and Romano-British periods, originated over 1000 years earlier in the Bronze Age. This is a significant advance in SYAS' understanding of the later prehistoric period in this area. These archaeological features can be expected to continue into the current application. The geophysical survey is useful in establishing that any buried remains here, although requiring

evaluation and possible subsequent mitigation, do not appear to be of such significance that preservation in situ is required. The large mound at the northern part of the site is also of archaeological interest. This is marked as the location of Lings Windmill on the 1st Ed. OS map of 1854. Groundworks associated with this scheme could, therefore, destroy finds and features of archaeological importance and as such, a scheme of archaeological investigation is required. SYAS recommend that the necessary investigation be secured by attaching the condition given in the covering letter. In the first instance, a programme of archaeological trial trenching will be required the results of which will be used to inform and devise a mitigation strategy, if required.

- 9.43 Therefore, SYAS have no objection, subject to a condition requiring a Written Scheme of Investigation to be submitted and approved by the local planning authority, in consultation with SYAS.

Flooding and Drainage

- 9.44 The application site lies within an area designated as Flood Risk Zone 1 and has a low probability of flooding. However, in accordance with policy CS 4 of the Core Strategy and the NPPF, as the site is 1.9ha, a site specific flood risk assessment (FRA) has been submitted. According to the FRA, ground levels are approximately 10.0m AOD over the greater part of the site, with a relatively steep fall of 1 in 20 at the northern end of the site, from 10.0 to 8.5 m AOD.
- 9.45 Soakaway testing has been carried out on site to determine the viability of infiltration techniques for the site. These have shown that they are not considered viable and therefore the use of attenuation systems to reduce the run-off from the site to agricultural, or agreed discharge rates, would be required to ensure there is no increase in flood risk to the downstream catchment. An underground attenuation tank is shown on the proposed site plan, this will be grassed over and will be able to be used as informal POS.
- 9.46 The Council's Drainage Engineer, Environment Agency, Doncaster East Internal Drainage Board and Yorkshire Water have all been consulted on the proposal. The Environment Agency have confirmed that they do not need to comments on the proposals as the only potential reasons for the consultation are 1) potentially polluting development on SPZ – but the EA do not consider residential developments to come into that category, or 2) potentially polluting previous use, but it's listed as agricultural which again the EA do not consider is an issue.
- 9.47 The Council's Drainage Engineer raises no objection to the proposal subject to a condition requiring a sustainable drainage scheme, Yorkshire Water request that permitted development rights are removed from the properties adjacent the water main easement at the front of the site, and no comments have been received from the Drainage Board.
- 9.48 As such, in accordance with policy CS 4 and the NPPF, it is not considered that there are any flooding or drainage issues which would prevent approval of the application, which carries considerable weight.

Trees and Landscaping

- 9.49 Policy ENV 59 of the Doncaster Unitary Development Plan states that in considering proposals for new development the borough council will attach considerable importance to the need to protect existing trees and hedgerows and other natural landscape features and will require that new developments do not cause unnecessary loss of tree, nor imperil trees by building works. Policy CS 16 (D) in part states that proposals will be supported which enhance the borough's landscape and trees by ensuring designs are of high quality, include appropriate hard and soft landscaping and retaining and protecting appropriate trees and hedgerows, and incorporating new tree, woodland and hedgerow planting.
- 9.50 A tree survey has been submitted with the proposal and has been assessed by the Council's Trees and Hedgerows Officer. Initially the Tree Officer raised concern that there were very few trees on the site and the best were being lost to development. However, through negotiation trees T5 and T6 are to be retained. The Tree Officer raised concerns as to how utilities would affect the roots to T6 and as a final, composite services layout has not yet been prepared because as the agent advises, utilities companies will not generally agree to finalised proposals until developers are scheduled in to meet with them at a later date in the development process. A series of preliminary drawings have been worked up to date, some of which could require the routing of services to be located in close proximity to the root protection areas (RPAs) of the retained trees. If this is to be the case when matters are finalised, then the vac-ex (air space) method could be used for the installation of the services to ensure that the RPAs remain protected. The developer's engineering team have spoken with their preferred utilities provider about this matter, and they have confirmed that their preference is also to propose the use of vac-ex. The Tree Officer does not wish to object on these grounds subject to a custom worded condition that requires confirmation of the method that will be used once the composite services layout is finalised, post the application being determined.
- 9.51 Therefore, on balance, there are no arboricultural objections to the proposal. The existing hedge will also be enhanced where there are gaps, to offset the gap created by the access.

Ecology and Wildlife

- 9.52 Policy CS 16 seeks to protect and enhances the borough's ecological networks, avoiding harm where possible and ensuring that any unavoidable harm is appropriately mitigated and compensates. Doncaster's Ecologist has been consulted during the course of the application and is generally happy with the ecology survey that has been provided and agrees with its assessment that further protected species surveys are not required for the site. The ecologist requests a condition is added requiring a bat sensitive lighting scheme as well as one that secured gaps for hedgehogs in any fences on the site. As such, there are no objections on ecological grounds, subject to condition.
- 9.53 With regards to biodiversity, in line with Paragraph 170 of the NPPF, planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. The site has been fairly accurately described as being of relatively low biodiversity value with significant ecological constraints having been identified. The losses from the proposed development were taken into account in the biodiversity

net gain assessment that was requested. Biodiversity value as calculated through the DEFRA metric is expressed as biodiversity units which have no intrinsic value but are just used as a proxy which can have a value allocated.

- 9.54 The habitat losses were confined to arable and tall ruderal areas and from a total of 4.14 biodiversity units 2.18 were to be retained or created on site. The retention and created of habitats on site has to be managed over a period of 30 years according to BNG guidance. This can be conditioned. The overall loss of biodiversity can be expressed as a deficit of 1.95 biodiversity units and according to the principles of biodiversity net gain this must be accounted for. However at the current stage of implementation the Council do not currently have a tariff set for the actual value of a biodiversity unit. Although there were no significant constraints to the proposed development from faunal species on the site in line with both national and local planning guidance mitigation of the impacts can be conditioned accordingly.

Pollution issues

- 9.55 A Geo-Environmental Appraisal and Air Quality Assessment (AQA) have been submitted with the proposal and assessed by the Contaminated Land and Air Quality section of the Pollution Control team. With regard to contaminated land, whilst there is no indication on the historic maps of previous industrial land use on site and contamination is more likely to arise in former industrial areas, it cannot be ruled out in other locations. As this development is for a vulnerable/sensitive end use, an appropriate contaminated land risk assessment should be carried out, and whilst the above report has been submitted as an appropriate contaminated land risk assessment, given its age there is the potential that changes may have occurred across the site since the original walkover was undertaken. In addition, adjacent development may have impacted upon the site. As such, the risk assessment will need to be updated to ensure it reflects the current situation on site and is written in accordance with current guidance. Subsequently, there are no objections subject to conditions requiring a contaminated land assessment and measures taken place should any contaminants be found.
- 9.56 In terms of air quality, the AQA follows standard methodology and uses data from recognised sources and therefore its proposals and conclusions may be accepted with a high degree of confidence. Pollution Control consider that it seems reasonable therefore that the development will not have the potential to result in an exceedance of the extant air quality objectives; thus subject to a number of conditions, there are no objections on grounds of air quality.

Conclusion on Environmental Issues

- 9.57 Para.8 of the NPPF (2019) indicates, amongst other things, that the planning system needs to contribute to protecting and enhancing the natural built and historic environment, including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
- 9.58 In conclusion of the environmental issues, it is considered that issues in relation to trees, ecology, landscaping, highways, flood risk and drainage and pollution have been overcome subject to suitably worded conditions. Collectively these issues weigh significantly in favour of the application. Overall therefore, the proposal is considered to balance positively in relation to environmental matters.

9.59 ECONOMIC SUSTAINABILITY

9.60 It is anticipated that there would be some short term economic benefit to the development of the site through employment of construction workers and tradesmen connected with the build of the project however this is restricted to a short period of time and therefore carries limited weight in favour of the application.

9.61 On a wider level, additional housing will increase spending within the borough which is of further economic benefit in the long term.

9.62 Conclusion on Economy Issues

9.63 Para 8 a) of the NPPF (2019) sets out that in order to be economically sustainable developments should help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.

9.64 Whilst the economic benefit of the proposal is slight and afforded only limited weight, it does not harm the wider economy of the borough and for that reason weighs in favour of the development.

9.65 Planning Obligations

9.66 Concerns have been raised by objectors that the proposed development would have an adverse impact on existing facilities and that the development provides no social, economic or environmental benefit to Hatfield. Paragraph 54 of the NPPF states that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

9.67 Paragraph 56 states that planning obligations must only be sought where they meet all of the following tests

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.

9.68 These are the statutory tests as set out in the Community Infrastructure Levy Regulations 2010. In the event that planning permission is granted, the following contributions would be required.

Affordable Housing

9.69 To accord with policy CS 12 of the Core Strategy, the scheme should provide 26% on site affordable housing, as more than 15 dwellings are proposed. In this case the development will need to provide 19 dwellings for affordable housing to be policy compliant. However, in accordance with the NPPF and policy CS 12 which states that 'commuted sums will be considered where this would assist the viability of a development and deliver more affordable homes than on-site provision'. The provision of 19 dwellings is subject to viability.

Public Open Space

- 9.70 In the event that planning permission is granted the development should look to provide 15% on site open space in order to be policy compliant. The scheme provides approximately 3.3% on site, which falls short of the 15% requirement. It is was therefore requested that this shortfall was made up with the provision of a commuted sum. Agreement has also been reached with the developer on the adjacent site, that an access can be formed to the adjacent POS for use by residents of this development. A LAP (Local Area of Play which includes small, low key equipment) will also be provided on site. It is also requested that benches be provided on the POS to allow for parents to watch children and this can be submit to the submission of the full details by condition. The area of the attenuation basin will also be grassed and allow for informal play. The commuted sum to make up the shortfall would equate to 11.2% of the land value, subject to viability.
- 9.71 This is only considered acceptable as the applicants have provided written confirmation that they have an agreement to form an access the neighbouring site and therefore residents can make use of the good POS offer adjacent. Without this access, the size of the open space provided is not acceptable. Officers are only taking this approach given the adjacent housing sites open space offer.

Education

- 9.72 Policy CS 1 (A) of the Core Strategy states that as a means to securing and improving economic prosperity, enhancing the quality of place, and the quality of life in Doncaster, proposals will be supported which contribute to the Core Strategy objectives and in particular provide opportunity for people to get jobs, learn new skills, and have access to good quality housing, local services, sport, leisure, religious and cultural facilities. As such, the Education team have been consulted and 16 additional primary school places are required as well as 11 additional secondary school places with a total educational contribution calculated at £395,555.

Transportation

- 9.73 Policy CS 9 requires new developments to provide, as appropriate, transport assessments and travel plans. As mentioned earlier in this report a returnable Transport Bond of £8822.88 is required to ensure that the development meets with the measures outlined in the travel bond.

9.74 Viability

- 9.75 Paragraph 57 of the NPPF states that 'where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force'.
- 9.76 A viability appraisal has been submitted with the proposal which sought to show the proposal could not provide any Section 106 obligations and remain viable. This was assessed by an independent viability consultant who concluded that the

scheme was fully viable (S106 payments of £594,178 and 19 units, or 26%, of affordable housing).

- 9.77 This was contested at length by the developer and agreement was made to seek the views of another independent consultant, which was duly carried out. This consultant reached an alternative conclusion to the original assessor and considered that the scheme could provide the required S106 payments of £594,178 and could provide some affordable housing on site or an off-site contribution of £559,280 (approximately 9 units or 12.5%).
- 9.78 This was still not agreed by the applicant, who considered that there had been an inconsistency with the approach applied by the same consultant at the Westminster Drive site at Dunsville, which is close to this application site. The main areas of difference related to amount of planning gain, revenue, profit and benchmark land value. The applicant then put forward an offer of £200,000 towards S106 payments and 7 units of affordable housing, with a revised appraisal.
- 9.79 Following a series of joint meetings, the viability consultant reviewed the justification submitted by the applicant and has concluded that a sum for Section 106 requirements to the value of £688,358 can be supported, this meets with the applicant's offer. However, the way in which the monies are split is the decision of the Section 106 Board. It was not possible to arrange for a meeting of the Board prior to the publication of this Report. Therefore, the outcome of the Board meeting, and resultant Heads of Terms will be presented verbally, and by pre-committee amendment, to Members of the Planning Committee at the meeting.

10.0 PLANNING BALANCE & CONCLUSION

- 10.1 In accordance with Paragraph 11 of the NPPF, the proposal is considered in the context of the presumption in favour of sustainable development. Officers have identified no adverse economic, environmental or social harm that would significantly or demonstrably outweigh any benefits identified when considered against the policies in the NPPF taken as a whole. It is considered that subject to the recommended conditions, there are no material considerations which indicate the application should be refused.
- 10.2 The proposed layout offers adequate protection of residential amenity as a result of its design and layout, and will be of a design which sits sympathetically with existing development, being seen as a continuation of built form. Whilst the scheme does not provide the full 15% POS on site, there is provision of a LAP on site and small area for informal play, combined with access to large area of POS on the adjacent site, which on the whole is considered acceptable and is not found to weigh significantly against the development. Further Section 106 monies could supplement other areas of POS within the vicinity should Members of the Section 106 Board agree that this has greater community benefit.
- 10.3 Whilst it is unfortunate that the development cannot longer provide all of the planning obligations to make the scheme fully policy compliant, this has been substantiated by a viability appraisal that has been assessed by an independent consultant who has agreed that the scheme is not fully viable. As such, the proposal is compliant with the NPPF and this is not considered to be a sufficient reason to refuse the application.
- 10.4 The development will be in-keeping with its context and there is sufficient parking across the development. The scheme also offers permeability through the site,

providing access to other forms of transport. Matters relating to trees, ecology, drainage and archaeology have been taken into account and are not considered to weigh against the development. The proposal is therefore recommended for approval.

11.0 RECOMMENDATION

Planning permission be **GRANTED** subject to a Section 106 Agreement and the following conditions;

01. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

REASON

Condition required to be imposed by Section 91(as amended) of the Town and Country Planning Act 1990.

02. The development hereby permitted must be carried out and completed entirely in accordance with the terms of this permission and the details shown on the approved plans listed below:

Planning Layout - 1963.01 Rev M

Detailed Landscape Plans - 3610/1 Rev E

Palmbridge - Det - Elevations - B20/PAGE/002 Rev A

Palmbridge - Det - Floorplans - B20/PAGE/002 Rev A

Greybridge - End - Elevations - B20/GRGE/002 Rev A

Greybridge - End - Floorplans - B20/GRGE/002 Rev A

Alderbridge - End - Elevations - B20/ALGE/002 Rev A

Alderbridge - End - Floorplans - B20/ALGE/002 Rev A

Floorplans and Elevations Hazelbridge - Det - B20/HAGE/001 A

Floorplans and Elevations Nithsdale - End - A20/NILE/001 A

Floorplans and Elevations Foxbridge - End - B20/FOGE/001 A

Floorplans and Elevations Culbridge - Det - B20/CUGE/001 A

Floorplans and Elevations Helmsdale - End - A20/HEL/001 A

Floorplans and Elevations Lakebridge - Det - B20/LAGE/001 A

Floorplans and Elevations Luxbridge - End - B20/LUGE/001 A

Single Garage - 1963.G.01

Boundary Treatments 1.2m Timber Post and Rail Fence - 1963.B.03

Boundary Treatments 1.2m Timber Fence w/0.3m Trellis - 1963.B.07

Boundary Treatments 1.8m Timber Screen Fence - 1963.B.01

Boundary Treatments 1.8m Brick and Timber Panel Wall - 1963.B.02

REASON

To ensure that the development is carried out in accordance with the application as approved.

03. Before the development commences, product details of the proposed external materials shall be submitted to and approved in writing by the Local Planning Authority. This may include samples if requested by the Local Planning Authority. Unless otherwise agreed in writing with the Local Planning Authority, the development shall be carried out in accordance with the approved materials.

REASON

To ensure the satisfactory appearance of the development.

04. Before the development commences, details of the proposed benches to serve the play area shall be submitted to and approved in writing by the Local Planning Authority. This may include samples if requested by the Local Planning Authority. Unless otherwise agreed in writing with the Local Planning Authority, the development shall be carried out in accordance with the approved materials.

REASON

To ensure the satisfactory appearance of the development.

05. No development shall take place on the site until details of the aftercare for the landscaping scheme (3610/1 Rev E) for a minimum of 5 years following practical completion of the landscape works have been submitted to and approved in writing by the Local Planning Authority. Thereafter the landscape scheme shall be implemented in full accordance with the approved details and the Local Planning Authority notified in writing within 7 working days to approve practical completion of any planting within public areas or adoptable highway within the site. Soft landscaping for any individual housing plot must be implemented in full accordance with the approved scheme, prior to occupation of the home, which will be monitored by the Local Planning Authority. Any part of the scheme which fails to achieve independence in the landscape, or is damaged or removed within five years of planting shall be replaced during the next available planting season in full accordance with the approved scheme, unless the local planning authority gives its written approval to any variation.

REASON

In the interests of environmental quality and core strategy policy CS16: Valuing our natural environment

06. Prior to the commencement of development a 30 year adaptive Management and Monitoring Plan for proposed onsite habitats shall be submitted to the Local Planning Authority for approval in writing. The Management and Monitoring plan shall detail the following:

- A 30 year adaptive management plan for the site detailing the management measures to be carried out over the phased restoration of the site in order to achieve the target conditions proposed for each habitat parcel.
- Objectives relating to the timescales in which it is expected progress towards meeting target habitat conditions will be achieved.
- A commitment to adaptive management that allows a review of the management plan to be undertaken and changes implemented if agreed in writing by the LPA and if monitoring shows that progress towards target conditions is not progressing as set out in the agreed objectives.

- That monitoring reports shall be provided to the LPA on the 1st November of each year of monitoring (Years 1, 2, 3, 5, 10, 15, 20, 25 and 30) immediately following habitat creation. GIS files showing the current habitat condition of each habitat parcel will accompany each monitoring report.

- The detailed scope of proposed monitoring reports including (but not exclusively), presence of any target species, date stamped photos accompanied by detailed site notes on the extent of growth and condition of habitats, notes on factors that could be hindering the progress towards proposed target condition, detailed recommendations on changes to the management actions for parcels where progress is not as planned.

- Data will be provided in an agreed standard format to allow for collation into a district-wide biodiversity network database.

Once approved in writing the management measures and monitoring plans shall be carried out as agreed in accordance with the timeframes set out in the agreed Management and Monitoring Plan.

REASON

To ensure the habitat creation on site and subsequent management measures are sufficient to deliver a net gain in biodiversity as required by the NPPF paragraph 170.

07. Within one month of the commencement of development, an ecological enhancement plan shall be submitted to the local planning authority for approval in writing. This plan shall include details of the following measures, all of which shall be implemented in accordance with the agreed plan prior to the first occupation of the site or an alternative timescale to be approved in writing with the local planning authority:

o Siting of 3 No. bat boxes of the Schwegler type 2F or similar in suitable buildings.

o Siting of 3No. swift boxes of the integrated 'WoodStone' type or similar at a suitable height and orientation in upper eaves of buildings.

o The creation of hedgehog access holes (minimum 13x13 cm in all fences and barriers to ensure safe movement of this terrestrial mammal throughout the site.

REASON

To ensure the ecological interests of the site are maintained in accordance with national policy NPPF and Core Strategy Policy 16.

08. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) there shall be no:

a) enlargement or extension to the frontage of the dwelling (s) hereby permitted (excluding any additions or alterations to the roof structures),

b) buildings or other structures ,

c) new fences, gates, walls or other means of enclosure or works as defined within Part 1 Classes A and E of Schedule 2 , and Part 2 Class A of Schedule 2 inclusive of that Order , erected or undertaken within the curtilages of any of the properties numbered plots 1-3 inclusive, 52-60 inclusive and 69-72 inclusive shown on drawing "Planning Layout" Revision M with easement and drainage annotation

, without the prior written approval of the Local Planning Authority in consultation with the statutory water supply undertaker .

REASON

To protect public health and ensure access can be maintained at all times for the purposes of repair and maintenance to the public water supply infrastructure that is located within the site boundary.

09. No construction works in the relevant area (s) of the site shall commence until measures to protect the public water supply infrastructure that is laid within the site boundary have been implemented in full accordance with details that have been submitted to and approved by the Local Planning Authority. Ground levels within 5 metres either side of the centre -line of the 14" diameter water main located within the site shall not be raised or lowered without the prior written approval of the Local Planning Authority and no trees shall be planted within the 10 metre protective strip around water main located within the site boundary . Furthermore, the submitted details shall include but not be exclusive to the means of ensuring that access to the water supply infrastructure for the purposes of repair and maintenance by the statutory undertaker is retained at all times .

REASON

In the interest of public health and protecting and maintaining the public water supply at all times.

10. The site shall be developed with separate systems of drainage for foul and surface water on and off site prior to the occupation of the first dwelling.

REASON

In the interest of satisfactory and sustainable drainage.

11. There shall be no piped discharge of surface water from the development prior to the completion of surface water drainage works , details of which will have been submitted to and approved by the Local Planning Authority . If discharge to public sewer is proposed , the information shall include , but not be exclusive to the means of limiting the discharge to a maximum rate of 5 litres a second.

REASON

To ensure that no surface water discharges take place until proper provision has been made for its disposal.

12. Prior to the occupation of the development hereby approved, details of electric vehicle charging provision shall be submitted to and approved in writing by the local planning authority. Installation shall comply with current guidance/advice. The first dwelling/development shall not be occupied until the approved connection has been installed and is operational.. The approved connection shall be retained for the lifetime of the development. The development shall be carried out in accordance with the approved details.

REASON

To contribute towards a reduction in emissions in accordance with air quality objectives and providing sustainable travel choice in accordance with policies CS9 and CS18 of the Doncaster Council Core Strategy.

13. Upon commencement of development details of measures to facilitate the provision of gigabit-capable full fibre broadband for the dwellings/development hereby permitted, including a timescale for implementation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and timescales.

REASON

To ensure that all new housing and commercial developments provide connectivity to the fastest technically available Broadband network in line with the NPPF (para. 112) and Policy 22 of the Doncaster Local Plan.

14. The development hereby granted shall not be begun until details of the foul, surface water and land drainage systems and all related works necessary to drain the site have been submitted to and approved by the Local Planning Authority. These works shall be carried out concurrently with the development and the drainage system shall be operating to the satisfaction of the Local Planning Authority prior to the occupation of the development.

REASON

To ensure that the site is connected to suitable drainage systems and to ensure that full details thereof are approved by the Local Planning Authority before any works begin.

15. Part A (pre-commencement)

No development, including any demolition and groundworks, shall take place until the applicant, or their agent or successor in title, has submitted a Written Scheme of Investigation (WSI) that sets out a strategy for archaeological investigation and this has been approved in writing by the Local Planning Authority. The WSI shall include:

- o The programme and method of site investigation and recording.
- o The requirement to seek preservation in situ of identified features of importance.
- o The programme for post-investigation assessment.
- o The provision to be made for analysis and reporting.
- o The provision to be made for publication and dissemination of the results.
- o The provision to be made for deposition of the archive created.
- o Nomination of a competent person/persons or organisation to undertake the works.
- o The timetable for completion of all site investigation and post-investigation works.

Part B (pre-occupation/use)

Thereafter the development shall only take place in accordance with the approved WSI and the development shall not be brought into use until the Local Planning Authority has confirmed in writing that the requirements of the WSI have been fulfilled or alternative timescales agreed.

REASON

To ensure that any archaeological remains present, whether buried or part of a standing building, are investigated and a proper understanding of their nature, date, extent and significance gained, before those remains are damaged or destroyed and that knowledge gained is then disseminated.

16. Should any unexpected significant contamination be encountered during development, all associated works shall cease and the Local Planning Authority (LPA) be notified in writing immediately. A Phase 3 remediation and Phase 4 verification report shall be submitted to the LPA for approval. The associated works shall not re-commence until the reports have been approved by the LPA.

REASON

To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to guidance set out in the National Planning Policy Framework.

17. Any soil or soil forming materials brought to site for use in garden areas, soft landscaping, filling and level raising shall be tested for contamination and suitability for use on site. Proposals for contamination testing including testing schedules, sampling frequencies and allowable contaminant concentrations (as determined by appropriate risk assessment) and source material information shall be submitted to and be approved in writing by the LPA prior to any soil or soil forming materials being brought onto site. The approved contamination testing shall then be carried out and verification evidence submitted to and approved in writing by the LPA prior to any soil and soil forming material being brought on to site.

REASON

To secure the satisfactory development of the site in terms of human health and the wider environment and pursuant to guidance set out in the National Planning Policy Framework.

18. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:

- i) the parking of vehicles of site operatives and visitors
- ii) loading and unloading of plant and materials
- iii) storage of plant and materials used in constructing the development
- iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v) wheel washing facilities
- vi) measures to control noise and the emission of dust and dirt during construction
- vii) a scheme for recycling/disposing of waste resulting from demolition and construction works

REASON

To safeguard the living conditions of neighbouring residents and in the interests of highway safety.

19. Before any construction works are started on the application site, a Construction Impact Management Plan, indicating measures to be taken to mitigate the effects of the construction activity and associated vehicle movements upon the living conditions of neighbouring residents and highway safety shall be submitted to and approved by the Local Planning Authority. The mitigation measures shall include provision for the following: the limitation of noise, the means of enclosure of the construction sites, and any proposed external security lighting installation; the control of dust emissions; the control of deposition of mud or debris on the highway, and the routing of contractors' vehicles. The mitigation measures so approved shall be carried out at all times during the construction of the development hereby approved.

REASON

To safeguard the living conditions of neighbouring residents.

20. Development shall not begin until a scheme for protecting residents in the proposed dwellings from noise from road traffic has been submitted to and approved in writing by the local planning authority. The scheme shall be in accordance with the recommendations set out in the BWB Noise Statement (reference LDP2324) submitted with the application. All works which form part of the approved scheme shall be completed before occupation of the permitted dwellings, unless otherwise agreed in writing by the Local Planning Authority. The protection measures in the agreed scheme shall be maintained throughout the life of the development

REASON

To safeguard the living conditions of neighbouring residents

Informatives

01. **INFORMATIVE**
The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority

Standing Advice valid from 1st January 2021 until 31st December 2022

02. **INFORMATIVE**
The site has good security designs incorporated in respect of its layout.

These can be complemented by ensuring that all external doors and windows fitted on the estate comply with Pas 24 (2016), LPS1175 SR2 (or equivalent) as a minimum

Windows also to comply with the PAS24 (2016)

The glazing units consist of a minimum of one pane of glass that achieves compliance under the BS EN356 P1A attack resistance standard.

Should the builder or developer apply for Secured by Design accreditation, this can easily be achieved by complying with the above recommendations

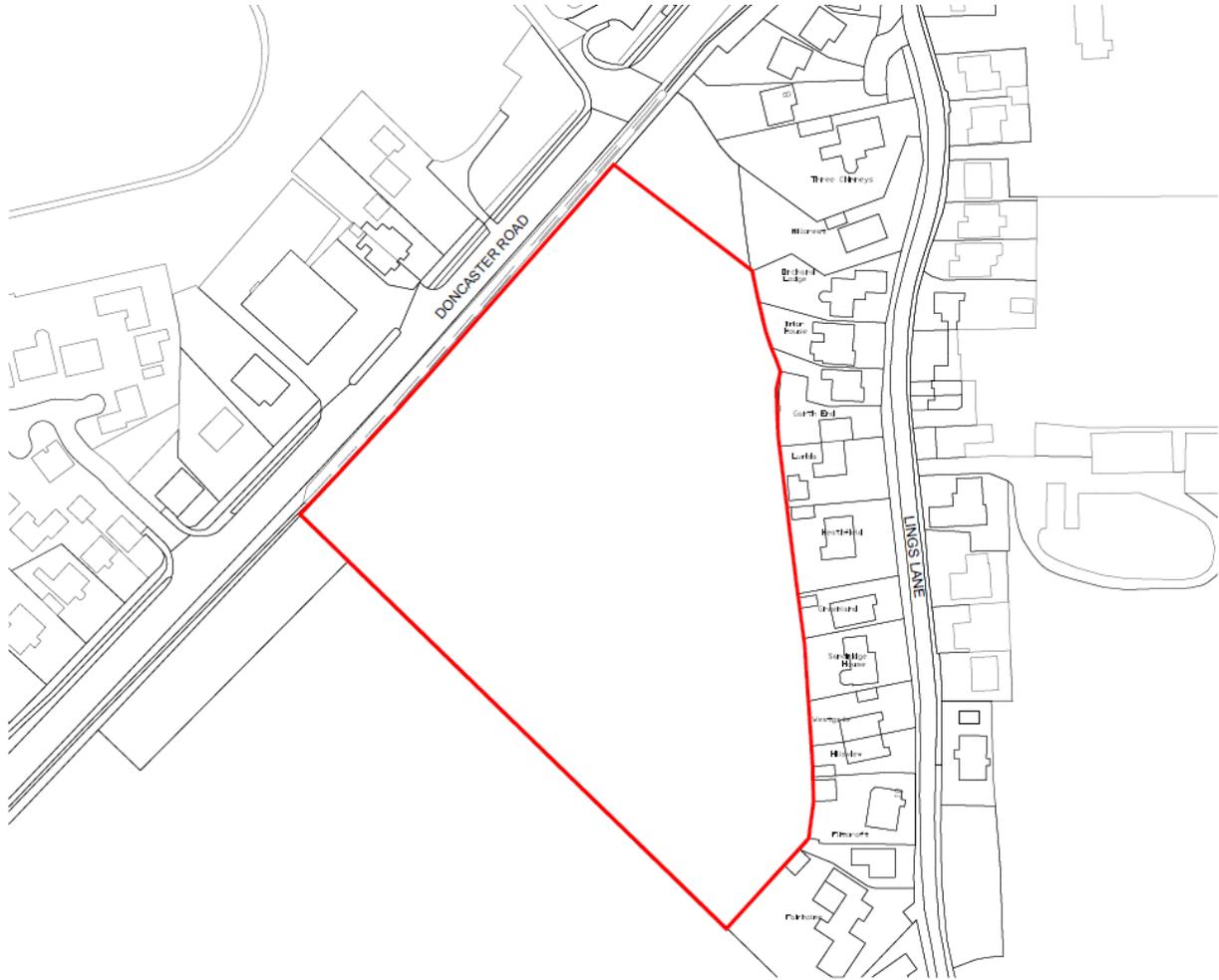
03.

INFORMATIVE

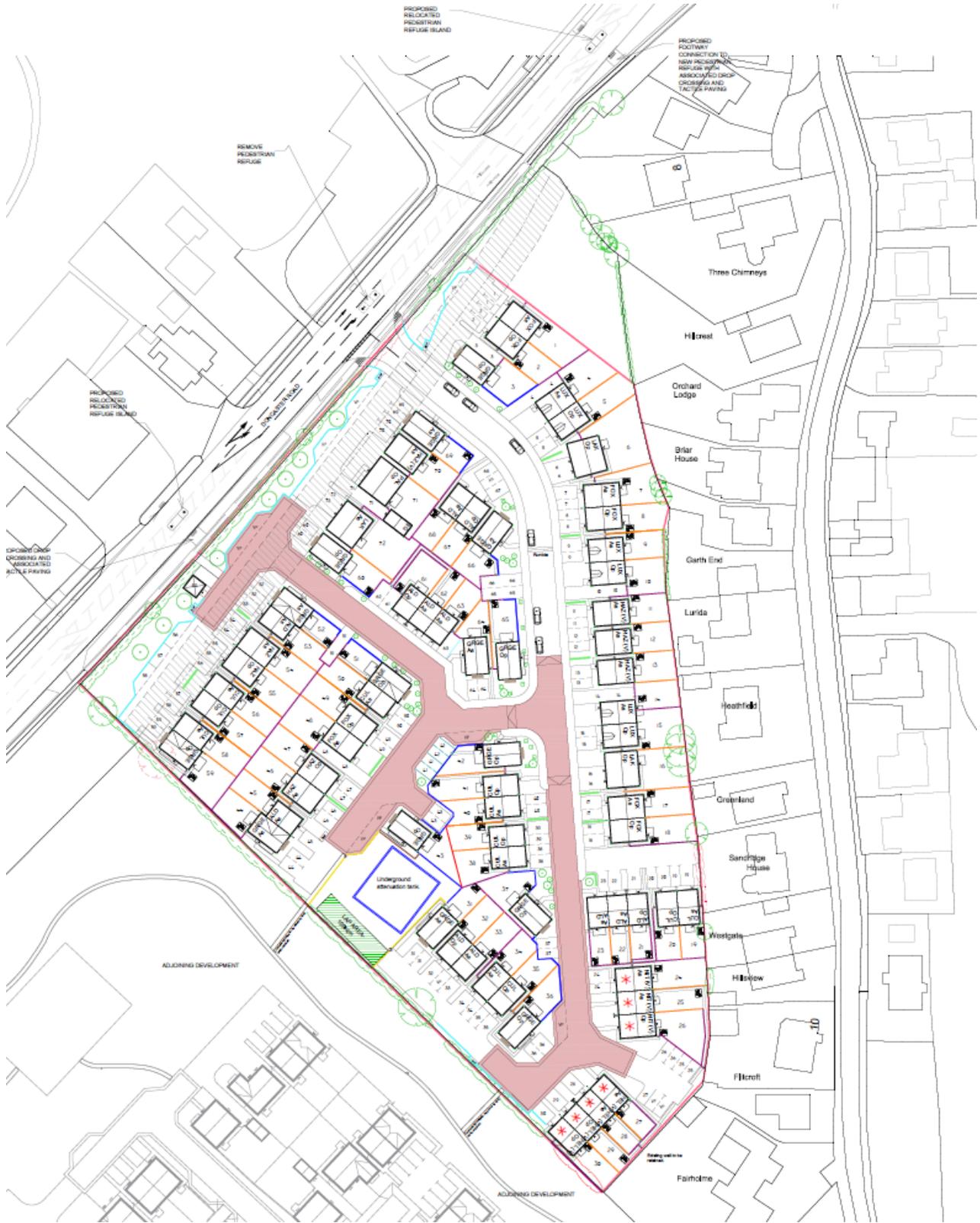
South Yorkshire Fire and Rescue Service are keen to promote the benefit of sprinkler systems to protect lives, property and the environment. As such it is recommended that this is allowed for when determining water supply requirements for the site.

The above objections, consideration and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family life, his home and his correspondence.

Appendix 1: Location Plan



Appendix 2: Site Plan



Appendix 3 – Typical Street Scenes



STREET SCENE A-A @ 1:200



STREET SCENE B-B @ 1:200



STREET SCENE C-C @ 1:200